GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Andhra Pradesh Shops and Establishment Act, 1988 – Grant of exemptions to M/s Kalyan Jewellers India (P) Ltd., from Sections 7,12 & 31 of the Andhra Pradesh Shops & Establishment Act, 1988 to keep open the shop in all 365 days of the year – Orders-Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (LAB.I) DEPARTMENT

G.O.RT.No. 411 **Dated:15.07.2015**

Read the following:-

1) Govt. Memo No.42/Lab.III/A2/2011, dated: 21.01.2011.
2) G.O.Rt. No. 556, LET&F(Lab.IV) Dept dt 24.06.2013
3) Representation of M M/s Kalyan Jewellers, Thrissur, Kerala, dt: 12.05.2015

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ORDER:

In the G.O. 2nd read above, the Government have issued orders for exempting the M/s Kalyan Jewellers India (P) Ltd, from the provisions under 7 (1), 12(1) and 31(1) of the Andhra Pradesh Shops and Establishments Act, 1988, for a period of (2) two years in respect of their outlet located at Sampath Vinayaka Temple Road, Waltair Uplands, Visakhapatnam and Opp: Head Post Office, Main Road, Kakinada, subject to filed verification and confirmation within (3) months and also subject to the conditions stipulated in the notification for a period of 2 years and lapsed.

2. In the reference 3rd read above, the application received from the management M/s Kalyan Jewellers India (P) Ltd, along with information in the prescribed formats seeking grant of exemption from Sections 7, 12 and 31 of A.P. Shops & Establishments Act, 1988 to keep open their shop in all 365 days of the year.

3. The following notification shall be published in the next issue of Extraordinary Andhra Pradesh Gazette:-

NOTIFICATION

In exercise of the powers conferred under sub-section (4) of Section 73 of the Andhra Pradesh Shops & Establishments Act, 1988 (Andhra Pradesh Act 20 of 1988), the Governor of Andhra Pradesh hereby grant exemption to the shop Sampath Vinayaka Temple Road, Waltair Uplands, Visakhapatnam and Opp: Head Post Office, Main Road, Kakinada from the provisions of Sections 7(1), 12(1) & 31(1) of Andhra Pradesh Shops & Establishments Act, 1988 for a period of two (2) years, subject to field verification and confirmation within (3) months and also subject to the following conditions:-

1. The daily working hours of the employee shall be 8 hours and weekly 48 hours. Record of Over Time will be maintained in respect of the employees who work beyond normal working hours, in the Wages Register, separately.
2. Every employee will be allowed a Weekly Holiday as per the list exhibited (form 24) at the main entrance of the shop.
3. If the employees found working on any Holiday or after normal duty hours without proper indent for Over Time, the exemption granted will be liable for cancellation.
4. Working Hours of the Shop shall be between 9.00 A.M to 11 P.M.
5. In case of Women employees who are required to work beyond 8.30 PM transport arrangements will be provided to the women employees. A notice to this effect in Telugu and English will be exhibited at the main entrance of the shop.

6. All employees will be provided with Appointment Letters and a copy of the same will be furnished to the jurisdiction inspector and acknowledgement will be preserved in the shop for inspection at any time.

7. Visit Book will be maintained exhibiting a copy of the exemption for verification by the Inspector for compliance with the conditions on exemption.

8. The exemption will be valid for 2 years only and subject to satisfactory compliance with the conditions of exemption and also compliance with the welfare provisions under various Labour Laws, renewal will be considered.

9. The exemption is applicable for only the shop which applied for the exemption but not to any other shop which has taken sub-lease within the shop. The lessees also may be directed to obtain exemption, if they so choose.

10. If majority of the workers oppose the exemption on the ground of violation of labour laws and consequent exploitation, the exemption will be liable for cancellation.

11. The wages for the employees will be credited to their Savings Bank Account.

12. EPF & ESI deductions shall be implemented in respect of the eligible employees.

13. The Employer shall cooperate in implementing the "Duties of Inspection" under Rule 28 of the A.P. Shops and Establishments Rules, 1990 especially with regard to the implementation of the conditions and also the provisions of Other Labour Laws for the workers employed in their Shops.

14. The Exemption will be cancelled before the sanctioned period, if any statutory violation is detected and the Employer of the Shop is held guilty.

15. The exemption will be for a period of two years from the Date of notification unless revoked.

16. Renewal of the exemption for two years will be subject to satisfactory compliance with the above conditions.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. ANANTHA RAMU
SECRETARY TO GOVERNMENT

To

The Commissioner of Printing, Stationery and Stores Purchase, Hyderabad- (with a request to publish the notification in Andhra Pradesh Gazette and furnish 10 copies to Government and 25 copies to Commissioner of Labour, Hyderabad.)

The Commissioner of Labour, Andhra Pradesh, Hyderabad (with request to take necessary action accordingly)

Copy to:

The management of M/s Kalyan Jewellers Sampath Vinayaka Temple Road, Waltair Uplands, Visakhapatnam/ Opp: Head Post Office, Main Road, Kakinada , Andhra Pradesh (with a request to obtain the renewal from the concerned within time).

The OSD to M (LET&F).

The P.S. to Secretary, LET & F Department.

Sf/ Sc

//FORWARDED :: BY ORDER//

SECTION OFFICER